

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

560.102 Definitions.

Sec. 102.

As used in this act:

- (a) "Plat" means a map or chart of a subdivision of land.
- (b) "Land" means all land areas occupied by real property.
- (c) "Preliminary plat" means a map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.
- (d) "Division" means the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than 1 year, or of building development that results in 1 or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of sections 108 and 109. Division does not include a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.
- (e) "Exempt split" means the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns that does not result in 1 or more parcels of less than 40 acres or the equivalent. For a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel, any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.
- (f) "Subdivide" or "subdivision" means the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns for the purpose of sale, or lease of more than 1 year, or of building development that results in 1 or more parcels of less than 40 acres or the equivalent, and that is not exempted from the platting requirements of this act by sections 108 and 109. "Subdivide" or "subdivision" does not include a property transfer between 2 or more adjacent parcels, if the property taken from 1 parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of this act or the requirements of an applicable local ordinance.
- (g) "Parcel" means a continuous area or acreage of land which can be described as provided for in this act.
- (h) "Tract" means 2 or more parcels that share a common property line and are under the same ownership.
- (i) "Parent parcel" or "parent tract" means a parcel or tract, respectively, lawfully in existence on the effective date of the amendatory act that added this subdivision.
- (j) "Accessible", in reference to a parcel, means that the parcel meets 1 or both of the following requirements:
 - (i) Has an area where a driveway provides vehicular access to an existing road or street and meets all applicable location standards of the state transportation department or county road commission under 1969 PA 200, MCL 247.321 to 247.329, and of the city or village, or has an area where a driveway can provide vehicular access to an existing road or street and meet all such applicable location standards.
 - (ii) Is served by an existing easement that provides vehicular access to an existing road or street and that meets all applicable location standards of the state transportation department or county road commission under 1969 PA 200, MCL 247.321 to 247.329, and of the city or village, or can be served by a proposed easement that will provide vehicular access to an existing road or street and that will meet all such applicable location standards.
- (k) "Development site" means any parcel or lot on which exists or which is intended for building development other than the following:
 - (i) Agricultural use involving the production of plants and animals useful to humans, including forages and sod crops; grains, feed crops, and field crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing of cattle, swine, and similar animals; berries; herbs; flowers; seeds; grasses; nursery stock; fruits; vegetables; Christmas trees; and other similar uses and activities.
 - (ii) Forestry use involving the planting, management, or harvesting of timber.
- (l) "Forty acres or the equivalent" means 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.
- (m) "Lot" means a measured portion of a parcel or tract of land, which is described and fixed in a recorded plat.
- (n) "Outlot", when included within the boundary of a recorded plat, means a lot set aside for purposes other than a development site, park, or other land dedicated to public use or reserved to private use.
- (o) "Proprietor" means a natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.

- (p) "Governing body" means the legislative body of a city or village or the township board of a township.
- (q) "Municipality" means a township, city, or village.
- (r) "County plat board" means the register of deeds, who shall act as chairperson, the county clerk, who shall act as secretary, and the county treasurer. If the offices of county clerk and register of deeds have been combined, the chairperson of the board of supervisors shall be a member of the plat board and shall act as chairperson. In a county where a board of auditors is authorized by law such board may elect to serve on the county plat board by adopting a resolution so ordering. A copy of the recorded resolution shall be sent to the director of the department of energy, labor, and economic growth.
- (s) "Public utility" means all persons, firms, corporations, copartnerships, or municipal or other public authority providing gas, electricity, water, steam, telephone, sewer, or other services of a similar nature.
- (t) "Caption" means the name by which the plat is legally and commonly known.
- (u) "Replat" means the process of changing, or the map or plat which changes, the boundaries of a recorded subdivision plat or part thereof. The legal dividing of an outlot within a recorded subdivision plat without changing the exterior boundaries of the outlot is not a replat.
- (v) "Surveyor" means a professional surveyor licensed under article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014.
- (w) "Engineer" means a civil engineer who is a professional engineer licensed under article 20 of the occupational code, 1980 PA 299, MCL 339.2001 to 339.2014.
- (x) "Government survey" means the land surveyed, subdivided and monumented by the United States public land survey.
- (y) "Michigan coordinate system" means the system defined in 1964 PA 9, MCL 54.231 to 54.239.
- (z) "Alley" means a public or private right of way shown on a plat which provides secondary access to a lot, block, or parcel of land.
- (aa) "Health department" means the department of environmental quality, a city health department, a county health department, or a district health department, whichever has jurisdiction.
- (bb) "Public sewer" means a sewerage system as defined in section 4101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.4101.
- (cc) "Public water" means a system of pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes, and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water to the public for household or drinking purposes.
- (dd) "Topographical map" means a map showing existing physical characteristics, with contour lines at sufficient intervals to permit determination of proposed grades and drainage.
- (ee) "Flood plain" means that area of land adjoining the channel of a river, stream, water course, lake, or other similar body of water which will be inundated by a flood which can reasonably be expected for that region.

History: 1967, Act 288, Eff. Jan. 1, 1968 ;-- Am. 1990, Act 156, Imd. Eff. June 28, 1990 ;-- Am. 1996, Act 78, Imd. Eff. Feb. 27, 1996 ;-- Am. 1996, Act 591, Eff. Mar. 31, 1997 ;-- Am. 2010, Act 63, Imd. Eff. May 6, 2010

Popular Name: Plat Act

Popular Name: Subdivision Control